

## Notice of Public Hearing

LSA Document #12-198

## Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on December 6, 2012, at 11:00 a.m. at the Indiana Government Center South, 402 West Washington Street, Conference Center Room #1, Indianapolis, Indiana, the State Board of Funeral and Cemetery Service will hold a public hearing on proposed rules to amend [832 IAC 2-1-1](#) concerning definitions, fees, and reports, amend [832 IAC 2-1-2](#) concerning fees, amend [832 IAC 2-1-4](#) concerning notice of changes in circumstances, amend [832 IAC 2-1-5](#) concerning notifications, amend [832 IAC 2-2-2](#) concerning cremation, burial permit requirements, and written authority, add [832 IAC 2-2-2.1](#) concerning simultaneous cremation, amend [832 IAC 2-2-4](#) concerning professional conduct, amend [832 IAC 3-1-1](#) concerning approved college, school, or department of mortuary science, amend [832 IAC 3-2-1](#) concerning funeral director internships, amend [832 IAC 3-2-2](#) concerning recognized funeral service intern examinations, amend [832 IAC 3-2-3](#) concerning funeral director intern case reports, amend [832 IAC 3-2-4](#) concerning requirements for third and subsequent takings of funeral director license examination, amend [832 IAC 3-3-2](#) concerning funeral director license and out-of-state applicants, amend [832 IAC 3-3-5](#) concerning effect of expired funeral director license, amend [832 IAC 4-1-1](#) concerning continuing education requirements, amend [832 IAC 4-1-2](#) concerning continuing education, amend [832 IAC 4-1-3](#) concerning sponsors, amend [832 IAC 4-2-2](#) concerning continuing education requirements for license reinstatement, amend [832 IAC 4-2-4](#) concerning application of renewal for license, add [832 IAC 5-1-0.5](#) concerning licensure procedure, amend [832 IAC 5-1-1](#) concerning applicant affidavit, amend [832 IAC 5-1-1.1](#) concerning inspections, add [832 IAC 5-1-1.2](#) concerning records, amend [832 IAC 5-1-3](#) concerning plumbing requirements and back-syphonage protection systems, amend [832 IAC 5-1-4](#) concerning embalming rooms, construction fixtures, and equipment and use requirements, amend [832 IAC 5-2-1](#) concerning display of license, amend [832 IAC 5-2-2](#) concerning required employment of embalmers by unqualified funeral directors, amend [832 IAC 5-2-4](#) concerning supervised funeral service limited to licensees, amend [832 IAC 5-2-5](#) concerning duplicate licenses at all locations where associated, amend [832 IAC 6-1-1](#) concerning notifications affecting preneed contracts, add [832 IAC 6-1-3](#) concerning payment of trust and escrow funds and documentation required, amend [832 IAC 7-1-1](#) concerning definitions, amend [832 IAC 7-2-1](#) concerning preneed contract, amend [832 IAC 7-2-4](#) concerning bank trust deposits, amend [832 IAC 7-2-5](#) concerning cash advance item and sales tax collections, amend [832 IAC 7-2-6](#) concerning duplicate contracts, add [832 IAC 7-2-7.1](#) concerning inability to perform contractual duties, amend [832 IAC 7-2-8](#) concerning consumer protection charges, amend [832 IAC 7-2-9](#) concerning consumer protection fund disclosure, amend [832 IAC 7-2-10](#) concerning excess funds and [IC 30-2-10](#) trust, amend [832 IAC 7-2-12](#) concerning requirements to make records available to board, add [832 IAC 7-2-13](#) concerning unlawful inducement, add [832 IAC 8-1-1](#) concerning definitions, add [832 IAC 8-1-2](#) concerning purpose of the preneed consumer protection fund, add [832 IAC 8-1-3](#) concerning requests for restitution, add [832 IAC 8-1-4](#) concerning board approval of disbursement, add [832 IAC 8-1-5](#) concerning interest, add [832 IAC 8-2-1](#) concerning definitions, add [832 IAC 8-2-2](#) concerning purpose of the consumer protection fund for cemetery maintenance, add [832 IAC 8-2-3](#) concerning request for maintenance assistance, add [832 IAC 8-2-4](#) concerning approval or disapproval and notice of termination, and repeal [832 IAC 3-3-4](#), [832 IAC 4-1-4](#), [832 IAC 4-2-1](#), [832 IAC 5-2-3](#), [832 IAC 5-2-6](#), [832 IAC 7-1-2](#), [832 IAC 7-1-3](#), [832 IAC 7-1-5](#), [832 IAC 7-1-6](#), [832 IAC 7-1-7](#), [832 IAC 7-1-8](#), [832 IAC 7-1-9](#), [832 IAC 7-2-7](#), and [832 IAC 7-2-11](#).

The proposed rules would require records be kept in a secure manner in a vault or fire-proof container with a properly certified fire resistant capability of at least one hour, or on computer readable media, on microfilm, or duplicate copies kept off site resulting in a minimal cost of \$1 per year. The proposed rules would also require funeral homes with embalming rooms to be equipped with either wet or dry hand sanitizer at a minimal cost of \$28 per year.

Supporting Data, Studies, or Analyses:

Hazard Communication Standard, Formaldehyde Standard, and Bloodborne Pathogens:

<http://www.osha.gov>

Computer diskettes:

[www.staples.com](http://www.staples.com)

Wet sanitizer:

[www.samsclub.com](http://www.samsclub.com)

Copies of these rules are now on file at the office of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Room W072 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

*Posted: 10/10/2012 by Legislative Services Agency*  
An [html](#) version of this document.